

## **NH Dredge Management Task Force Meeting Minutes – January 27, 2010**

**The meeting was held on Wednesday, January 27, 2010 from 1:30 PM to 3:00 PM at the Department of Environmental Services/New Hampshire Coastal Program Office, 50 International Drive, Pease Tradeport, Portsmouth, NH.**

### **Introductions/Announcements**

Chairman Chris Williams asked members to introduce themselves. The list of attendees follows.

#### **Attending members in alphabetical order:**

Valerie Cappola, U.S. Army Corps of Engineers (ACOE)  
Jenna Flynn, National Marine Fisheries Service  
Chuck Gilboy, Staff for Congresswoman Shea-Porter  
Olga Guza-Pabst, Environmental Protection Agency (EPA)  
Richard Heidebrecht, ACOE  
Carol Henderson, NH Fish and Game Department (NHF&G)  
Sarah Holmes, Staff for Senator Shaheen  
Richard Holt Sr., Portsmouth Pilots - Moran Towing Corp.  
Eric Nestler, Normandeau Associates  
Shachak Pe'eri, UNH Center for Coastal & Ocean Mapping  
Tom Prasol, Staff for Senator Gregg  
Frank Richardson, DES Wetlands Bureau  
Catherine Rogers, ACOE  
Tracy Shattuck, Pease Development Authority-Division of Ports and Harbors  
Fred Short, UNH Jackson Estuarine Laboratory  
Michael Walsh, ACOE  
Chris Williams, Chairman, New Hampshire Coastal Program (NHCP)

Staff:

Mary Power, NHCP

### **Legislative Update**

Chairman Williams asked staff from the Congressional delegation for a legislative update. Tom Prasol from Senator Gregg's office said the appropriations process is just getting underway. He stated that the deadline for submitting Fiscal Year 2011 appropriations requests to the Senator is February 19, 2010. Chairman then indicated that he has received notification that the deadline for submitting appropriations requests to Senator Shaheen's office is February 28, 2010. Sarah Holmes of Senator Shaheen's office confirmed the February 28<sup>th</sup> deadline and stated that requests must be submitted through an online application. Mike Firestone in the Senator's Washington office is coordinating the appropriations request process. Chuck Gilboy of Congresswoman Shea-Porter's office stated that the Congresswoman's deadline for submitting appropriations

request is March 1, 2010. He stated that he'd send the appropriations requests form electronically to Chairman Williams. Chairman reminded members that each year, typically in early February, he schedules a meeting with staff from the Pease Development Authority – Division of Ports and Harbors (PDA-DPH), the Army Corps of Engineers (ACOE) and the Congressional Delegation to review the state's tidal dredging and dredge material management projects. As a result of that meeting, the state creates list of priority projects for funding through the appropriations process. Chairman informed the Congressional Delegation staff, and the PDA-DPH and ACOE staff present, that he intends to schedule this year's meeting during the first or second week of February. He stated that he'd email them soon with potential dates and times for the meeting.

Chairman then stated that in November he received information from Congresswoman Shea-Porter's office indicating that the House of Representative might be taking up a new Water Resources Development Act (WRDA) bill. WRDAs are legislative vehicles that are typically dedicated to authorizing ACOE activities and establishing policies for ACOE civil works activities. In response, the State submitted details of three projects to the Congresswoman's office, including the Regional Sediment Management Plan, the Hampton/Seabrook 107 project and the Piscataqua River Turning Basin project, in hopes that they may get referenced in the new WRDA bill and ultimately receive funding. Chairman asked Chuck Gilboy about the status of the WRDA bill in the House. Mr. Gilboy stated that he'd follow-up with Robert Moore who is handling the WRDA legislation for the Congresswoman's office.

### **Project Updates:**

■ *Piscataqua River Turning Basin Feasibility Study & Disposal Alternatives* - Dick Heidebrecht, the Project Manager from the ACOE, began by discussing the status of the ACOE's efforts to identify disposal options for the dredged material from the project. He explained that the ACOE is no longer considering the proposal to place the sandy material in a subtidal feeder berm off Long Sands Beach in York, Maine. In early January the ACOE convened a meeting in York to discuss the proposal. The meeting attracted approximately 60 people, including town selectmen, a state legislator, local lobstermen, surfers and local citizens. All those in attendance raised objections to the disposal option, even though the proposal was supported by the State of Maine, including the Department of Marine Resources, the Geological Survey and the Department of Environmental Protection. Since the meeting in York, the ACOE has been working with these agencies to identify another potential disposal site, including off the beach in Wells, Maine. The Town of Wells has expressed an interest in the material and the ACOE has had and will continue to have discussions with the Town officials. Mr. Heidebrecht stated that the Maine Department of Transportation may also be interested in the material.

Chairman asked Mr. Heidebrecht to quantify the anticipated volume of dredge material from the proposed project. Mr. Heidebrecht stated that the ACOE is currently leaning toward dredging a larger turning basin (1120 to 1200 feet) that would yield approximately 500,000 cubic yards of material. Discussion followed. Chairman asked if

the ACOE still plans to split the dredge material between Maine and NH. Mr. Heidebrecht stated that there has to be a determination of how much material NH beaches need and can accommodate. Chairman asked if it is the state's responsibility to determine how much sand the beaches can accommodate. Chairman also stated that the State Division of Parks and Recreation has identified the beach at Wallis Sands State Park and the northern part of Hampton Beach as the only two beaches needing sand. Mr. Heidebrecht stated that the current Memorandum of Understanding (MOU) between the ACOE and the Pease Development Authority-Division of Ports and Harbors does not include a provision for a study to determine how much sand is needed on NH's beaches. Any such study would require an amendment of the MOU and additional cost sharing between the ACOE and PDA-DPH.

Olga Guza-Pabst of EPA asked if the material could be stored at an upland site. Heidebrecht stated that loading and transportation costs are considerable since the material is essentially "double handled." A site at the end of Gosling Road in Newington was then discussed as a potential upland disposal site. Carol Henderson of NH Fish and Game Department stated that upland disposal appears to make the most sense for the turning basin expansion project because the volume of material to be dredged would likely far exceed the capacity at either of the beaches previously discussed. As a result, there would likely be a large amount of material left over. Upland disposal could be an alternative for this remaining sand. Chair stated that there may be an opportunity to stockpile the dredge material, sell it and then use the money to help cover the additional costs of upland disposal. Mr. Heidebrecht stated that he'd check on loading and transportation costs generally associated with upland disposal and check on the specific costs of taking the material to the Newington site. Discussion followed.

Ms. Guza-Pabst stated that there needs to be a discussion about NH's long-term dredge material disposal needs. Chairman reminded members that for the past two years the state, as part of the federal appropriations process, has requested funding for a Regional Dredge Material Management Plan, which was comprised of an ocean disposal site designation study and completion of Phase II of the Comprehensive Upland Dredge Material Disposal Study. Chair stated that the state would continue to work with the ACOE to identify disposal alternatives. Discussion followed.

Dr. Fred Short of UNH then stated that the eelgrass has returned to the Maine side of the Piscataqua River in the vicinity of the proposed dredge footprint. He warned of potential direct impacts to the eelgrass there. Mr. Heidebrecht stated that the ACOE has modified the alignment of the turning basin to minimize eelgrass impacts. He also stated that the ACOE would continue to work with Dr. Short to identify and avoid/minimize eelgrass impacts. Discussion followed.

■ *Cocheco River Maintenance Dredge Status, including Dredge Window and Monitoring-* Chairman Williams asked Mike Walsh, ACOE Project Manager, to provide an update on the project. Mr. Walsh stated that the ACOE is currently reviewing the plans and specifications from the dredging that occurred in 2007 and hopes to negotiate a dredging contract in late spring or early summer 2010.

He then discussed the difficulties of dredging the river. He stated that the narrowness of the river and the shallow water depths make it difficult for construction crews to move around the river. Icing of the river only compounds the problem. These factors combined with the state's 4-month (Nov. 15 – March 15) dredge window significantly reduce production rates. As a result, he stated that there's a possibility that the remaining dredging work won't be completed during the upcoming dredge season. He then requested an extension of the dredge window. He reminded members that during the 2007 dredging of the river, the ACOE was allowed to begin removing rock on November 1<sup>st</sup>. He stated that this 15-day extension was extremely helpful. So too was the extension they received to continue work past March 15<sup>th</sup>. This extension, which was water-temperature dependent, allowed work to continue until April 7<sup>th</sup>. Mr. Walsh stated that he'd like to have work begin again on November 1<sup>st</sup>, if not earlier, to allow time to break up and remove the remaining rock in the channel. He suggested scheduling a meeting with the NH Fish & Game Department (NHF&G) to discuss these issues. Carol Henderson of NHF&G stated that she had already mentioned the likelihood of another request for extending the dredge window with the Department's Marine Division.

Ms. Henderson then asked Mr. Walsh how long the ACOE anticipates the dredging will take and if they anticipate that they'll need an extension past the March 15<sup>th</sup> dredge window deadline. Mr. Walsh stated that he would indeed like an extension past March 15<sup>th</sup>. Regarding the time needed to complete the project, Mr. Walsh stated that it would depend on a number of factors, most importantly weather (e.g., ice) conditions. He indicated that the ACOE intends to use the same contractor that performed the work in 2007. Mr. Walsh agreed to provide the remaining total number of days necessary to complete this dredge project to Ms. Henderson. Once she receives a response she'll contact Mr. Walsh and the NHF&G Marine Division and they will try to work on the timing issue together.

The contractor's familiarity with the river should be advantageous from a timing perspective. He also stated that they intend to have all equipment in the water and ready to work on or before the authorized start date. This will save time as well. He continued by saying that they intend to dredge to -6 ft. mllw as opposed to -5 ft. mllw as was done in 2007 because the machinery used by the contractor doesn't perform well in 5 ft. of water. The additional one foot of dredge depth will double the previous estimate of volume that remains to be dredged and will add some additional time to the project. Discussion followed regarding ice in the river. Mr. Walsh stated that the contract will indicate that the contractor will partially demobilize when the ice forms and return when the ice begins to break up.

Mr. Walsh then raised an issue brought up at the last Task Force meeting regarding water quality monitoring in the Cocheco River. He said that he and Fred Short from UNH are going to meet to discuss a monitoring plan and added that it is important to obtain baseline information before the monitoring begins. He will update the Task Force about this issue at the next meeting.

■ *Hampton Section 107 Feasibility Study Report* - Dick Heidebrecht of the ACOE reported that in mid-January he and other ACOE staff met with staff from the PDA-DPH, U.S. Fish & Wildlife Service (FWS), NH Fish and Game Department (NHF&G), NH Division of Parks and Recreation (NH Parks), and the NH Coastal Program to discuss the ACOE's proposal to place the sand to be dredged from Hampton and Seabrook Harbors (and the federal entrance channel) on the beach at Hampton Beach State Park and on Seabrook beach. The ACOE's beach nourishment proposal requires coordination not only with NH Parks, but with FWS and NHF&G due of the presence of federally-threatened piping plovers and plover habitat at both beach locations. At the meeting, the potential impacts of the ACOE's proposal on the existing plover management plan for the area were discussed. As a follow-up to the meeting, an on-site review was also conducted.

Chairman asked Mr. Heidebrecht about the expected timing of the release of the feasibility study. Mr. Heidebrecht stated that he anticipates release in April or May. Frank Richardson of the DES Wetlands Bureau asked about the proposed start date for project construction. Mr. Heidebrecht stated that construction should begin in 2011 or 2012.

■ *Sagamore Creek Maintenance Dredge & FY 2010 Low Use /Shallow Draft Navigation Program* - Mike Walsh, Project Manager for the ACOE, stated that the public notice comment period for the project closed on November 1, 2009. The ACOE only received a few comments that will be addressed in the environmental assessment (EA) which is currently being worked on. He hopes to have a draft EA prepared sometime at the beginning of the summer of 2010 followed by the state and federal resource agency coordination process, which will likely take until the end of the calendar year. The next step, which is dependent on funding, would be to develop plans and specifications followed by project construction beginning, at the earliest, in November 2012.

Chairman then asked Mr. Walsh to clarify the connection between the Sagamore Creek maintenance dredging project and the Piscataqua River "Simplex Shoal" maintenance dredging project. Mr. Walsh stated that the Sagamore Creek project is officially named the Piscataqua River and Portsmouth Back Channels Federal Navigation project. Even though the two projects are separate and distinct, ACOE funding for both projects is designated to the Piscataqua River and Portsmouth Back Channels Federal Navigation project. The ACOE then separates those funds and distributes them to the Piscataqua River "Simplex Shoal" project and the Portsmouth Back Channels (Sagamore Creek) project. Discussion followed.

■ *Piscataqua River "Simplex Shoal" Maintenance Dredge* - Valerie Cappola of the ACOE stated that she is waiting to hear back from the ACOE's Division Office to find whether they will authorize "advanced maintenance dredging" at the site. Once she receives an answer from the Division Office she will begin the coordination process with federal and state agencies followed by issuance of the public notice for the project. Chair reminded members that the Simplex Shoal project was the State's #1 priority project for funding in last year's appropriations process. He stated that \$1 million was requested in

the ACOE's Operations and Maintenance budget to administer a contract and complete project construction, however, only \$500,000 was received.

**Other Business:**

■ *FY 2011 Appropriations Process* - Chairman reminded the Congressional Delegation staff and staff from PDA-DPH and the ACOE that he will be contacting them soon to schedule the annual project review and appropriations request meeting. He added that he will review the State's priority projects and funding requests at the next meeting.

■ *Other items* - Chuck Gilboy stated that in response to the WRDA discussion earlier in the meeting, he had received an email update indicating that WRDA is still being reviewed in committee.

■ *Schedule next DMTF meeting.* Chairman set the next meeting for April 28, 2010 at 1:30 PM at the Coastal Program's Pease Office in Portsmouth. He reminded members of the new address: 222 International Drive, Suite 175. Due to a scheduling conflict identified after the meeting, the Chairman notified members via email that the date of the next meeting had been changed to **April 21, 2010 at 1:30 PM.**

Meeting adjourned at 3:05 PM